

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION

Patricia C. Wilson,)	C/A No. 5:17-940-RBH-PJG
)	
)	
Appellant,)	
)	
v.)	
)	
CitiFinancial Servicing LLC,)	REPORT AND RECOMMENDATION
)	
)	
Appellee,)	
)	
Pamela Simmons-Beasley,)	
)	
Trustee.)	
)	

Patricia C. Wilson, proceeding *pro se*, seeks to appeal the order granting relief from an automatic stay filed in the United States Bankruptcy Court in the District of South Carolina. (ECF No. 1.) This matter is before the court pursuant to 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.). By order dated May 22, 2017, Wilson was directed to pay the filing fee and submit the documents necessary to bring this case into proper form. (ECF No. 7.) Wilson was warned that failure to provide the necessary information within a specific time period would subject the case to dismissal. Wilson did not respond to the order or pay the filing fee, and the time for response has lapsed. Plaintiff has failed to prosecute this case and has failed to comply with an order of this court. Therefore, the case should be dismissed without prejudice pursuant to Rule 41 of the Federal Rules of Civil Procedure. *See Link v. Wabash R.R. Co.*, 370 U.S. 626 (1962).¹

¹ “A district court or BAP may regulate practice in any manner consistent with federal law, applicable federal rules, the Official Forms, and local rules.” Fed. R. Bankr. P. 8026(b)(1).

Accordingly, the court recommends that the Notice of Appeal be summarily dismissed without prejudice.

August 8, 2017
Columbia, South Carolina


Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE

Plaintiff's attention is directed to the important notice on the next page.

Notice of Right to File Objections to Report and Recommendation

The parties are advised that they may file specific written objections to this Report and Recommendation with the District Judge. Objections must specifically identify the portions of the Report and Recommendation to which objections are made and the basis for such objections. “[I]n the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Specific written objections must be filed within fourteen (14) days of the date of service of this Report and Recommendation. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); see Fed. R. Civ. P. 6(a), (d). Filing by mail pursuant to Federal Rule of Civil Procedure 5 may be accomplished by mailing objections to:

Robin L. Blume, Clerk
United States District Court
901 Richland Street
Columbia, South Carolina 29201

Failure to timely file specific written objections to this Report and Recommendation will result in waiver of the right to appeal from a judgment of the District Court based upon such Recommendation. 28 U.S.C. § 636(b)(1); Thomas v. Arn, 474 U.S. 140 (1985); Wright v. Collins, 766 F.2d 841 (4th Cir. 1985); United States v. Schronce, 727 F.2d 91 (4th Cir. 1984).